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ABSTRACT

The booklet presents guidelines for implementing Massachusetts Chapter 688, which provides for a 2-year transitional process to plan for habilitative services for severely disabled young adults who will lose their entitlement to special education upon graduation or reaching the age of 22. The law is intended to serve individuals who traditionally have not fit into any agency. Eligibility information and the process by which eligibility determination is made are considered. The process of implementing 688 is then reviewed from eligibility and referral and monitoring by the Bureau of Transitional Planning and the Transitional Advisory Committee to development of an approved individual transition plan (ITP). The roles of the school district and the transitional agency are examined. Contents of referral forms are explained, and the development of the individualized transition plan, a service planning document, is reviewed. Preceding a glossary and sample forms is a discussion of the Bureau of Transitional Planning, the central coordinator of the Chapter 688 process. The document concludes with a copy of Chapter 688. (CL)

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CHAPTER 688 IMPLEMENTATION
GUIDELINES AND INSTRUCTIONS
FOR
LOCAL SCHOOL DISTRICTS

Executive Office of Human Services
Philip W. Johnston, Secretary

Department of Education
John Lawson, Commissioner

October, 1984

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INTRODUCTION

The Executive Office of Human Services, in consultation with the Department of Education, the Human Service Agencies and Advocacy representatives for the past several months has been designing a system to implement Chapter 688: The "Turning 22 Law".

Chapter 688 amends Massachusetts General Laws Chapter 71B (commonly known as Chapter 766--the special education law). It provides for a two year transitional process to plan for habilitative services for severely disabled young adults who will lose their entitlement to special education upon graduation or reaching the age of 22.

Chapter 688 recognizes that severely disabled people, if provided appropriate services and support continue to learn and develop throughout their lives. One's age and definition of disability should not interfere. A transition plan from the educational program to the adult service system will be provided for every eligible person so that a child will begin to benefit from the adult human service system immediately upon graduation or reaching the age of 22.

The intent of the law is to provide a bridge and thereby serve individuals who traditionally have not "fit" into any agency. A Transitional Agency will be assigned to manage each individual through the 688 process, and to develop a transitional plan.

Through EOHS, a newly formed Bureau of Transitional Planning (BTP) and the Transitional Advisory Committee (TAC) will monitor each person's progress through the Chapter 688 System to ensure that appropriate service plans are developed.

The design, as described in this document, is focused on an area based intake system for the purpose of building upon and promoting the local system. This will ensure that individuals' program planning will be done by those who know them best.

The primary purpose of the statute is to establish a transitional process out of the education system into the human service system. In order to accomplish that, interagency and interdisciplinary planning are essential. Every person referred has a right to eligibility determination and every eligible person has a right to a transitional plan. It is projected that 500-700 persons per year will be referred and about 500 will be determined eligible. This model provides for a Transitional Agency for each person eligible for Chapter 688 services. The major responsibility of that transitional agency is to bridge the two systems by performing case management type functions. The nature of the population to be served (and in fact the key underlying principle of the statute) requires that there be some adjustments made to the way human service agencies currently define their populations.

What follows is a description of the implementation process for Chapter 688. It includes a special section that describes the role

the local school district plays and defines the school district's relationship to the entire process.

WHO IS ELIGIBLE FOR CHAPTER 688

The Chapter 688 statute allows a wide range of disabled individuals with different needs to be determined eligible for Chapter 688 services. Eligible individuals include those who must receive assistance in order to work in competitive employment for at least twenty (20) hours/week to those individuals who will need continuous assistance and care. All persons referred to Chapter 688 must be:

- a. receiving special education services and must be graduating or turning 22 years old on or after March 22, 1984 (the effective date of the law)
- b. in need of continuing services
- c. unable to work 20 or more hours in competitive employment

The Chapter 688 statute further requires that students go through an eligibility determination process to receive Chapter 688 services.

Eligibility Determination Process

1. All students who have been determined eligible to receive Supplemental Security Income (SSI) through the Social Security Administration (SSA) are automatically eligible for Chapter 688 services. A student receiving SSDI on the basis of his own disability is also eligible. It is important to note that since the process starts with SSI determination, establishing this prior to making a Chapter 688 referral will give a head start to the Chapter 688 process and allow more time for service planning. Once a student is 18 years old, his/her assets can be considered separately in determining financial need to receive SSI, however, some family income will be

considered if he/she is living at home.

2. If an individual is registered on the Massachusetts Commission for the Blind's Registry as legally blind, she/he is also automatically eligible for Chapter 688 services.

3. If the individual is determined ineligible for SSI/SSDI, even while an appeal through that system is initiated, an alternative procedure for Chapter 688 eligibility is started. A new Chapter 688 eligibility determination unit housed at the Massachusetts Rehabilitation Commission (MRC) has the new responsibility of determining Chapter 688 eligibility for those people who are ineligible for SSI or not on the Blind Registry. They will use a separate case review system, different from the system used by MRC for determining eligibility for other agency services. The Chapter 688 eligibility determination is made in the following way:

- a. The Chapter 688 eligibility unit reviews a student's records. If sufficient information is not available, additional information is gathered.
- b. If the additional information is not conclusive, the student meets in a personal interview with the Chapter 688 Vocational Rehabilitation Counselor.
- c. If the interview does not produce conclusive evidence for determination of eligibility, a work evaluation is scheduled.

A workshop performs a diagnostic work evaluation and submits a written report to the Chapter 688 eligibility unit.

- d. The Chapter 688 eligibility unit considers all information gathered and makes an eligibility determination.

4. There is an opportunity for individuals to appeal eligibility decisions made by the Chapter 688 eligibility unit.

CHAPTER 688 PROCESS

The Executive Office of Human Services, charged by the legislature to implement Chapter 688, has developed a referral system that facilitates a local, coordinated, interagency transitional planning process. The impetus for the design of this area based referral and intake system is to maintain and promote a local process from referral through delivery of adult services for the majority of students, wherever possible.

The process is as follows:

1. The Administrator of Special Education as part of the Chapter 766 Evaluation Team process makes a judgement that a student will continue to need services after receiving a high school diploma or reaching age twenty-two and is potentially eligible for Chapter 688. (See "Who is Eligible")

2. On the basis of the enclosed guidelines for referral the school district's special education administrator determines which agency is the most appropriate to provide the needed services and, after obtaining consent from the student or his/her guardian, directly refers the case to the area office of that agency. The administrator sends a copy of the referral form to the BTP/EOHS specifying the agency, area office and date sent. (See "School District's Role").
3. The agency area office screens the case file and determines its responsibility as the transitional agency.
4. The Bureau of Transitional Planning (BTP) and the Transitional Advisory Committee (TAC) begin tracking and monitoring all referrals and "approve" or if necessary, reassign the referral and formally designate the transitional agency.
5. If no agency is clearly appropriate, the school district refers the case to the BTP/EOHS. The BTP selects and designates a transitional agency.
6. The transitional agency begins to compile a case file and if the student is already receiving SSI or SSDI, planning for him/her can begin immediately. Students who are not already receiving SSI will be required to apply to the Social

Security Administration for determination of eligibility for SSI. As noted earlier, it is enormously helpful if this determination has been made prior to referral for Chapter 688 services.

7. Students who are found to be ineligible for SSI and not on the Blind Registry will be referred by the transitional agency to a new Chapter 688 eligibility determination unit housed at the Massachusetts Rehabilitation Commission (MRC). This special unit will determine a student's eligibility for Chapter 688 under state eligibility standards (See "Who is Eligible").
8. The transitional agency convenes participants of the inter-agency team. Team participants must include the student and/or guardian. All relevant human service agency and educational personnel are encouraged to participate. The transitional agency and the team members then develop an Individual Transitional Plan (ITP) for all students eligible for Chapter 688. When completed, the ITP is sent to the Bureau of Transitional Planning (BTP) and the Transitional Advisory Committee (TAC) for notification and approval.
9. An approved Individual Transitional Plan (ITP) is sent to the area offices of agencies with service responsibilities, school districts, and to the client and/or guardian. Ser-

vices are provided by agencies as stipulated in the ITP, subject to appropriation (Section 12c of Chapter 688).

SCHOOL DISTRICT'S ROLE

Local school districts' Special Education Administrators perform several critical functions in the Chapter 688 process. They include:

- Identifying students who will need services after special education.
- Helping families understand the Chapter 688 process.
- Completing the Chapter 688 referral form, obtaining student or guardian consent, and forwarding the referral package to the human service agency.
- Conferring with human service agencies on the student's future service needs.

What follows is an outline of the specific steps a local Administrator of Special Education from the school district with programmatic responsibility will take to ensure a student's access to the Chapter 688 process. It may be helpful to perform steps 1-4 during a regularly scheduled Evaluation Team meeting.

1. At least two years prior to a student's graduation or twenty-second birthday, whichever occurs first, determine if the student is likely to need services as an adult. (See "Who is Eligible").

2. Inform the student or guardian of the intent to refer for Chapter 688 services. Provide the student or guardian with "Chapter 688 Information Booklet" and assist him/her in understanding the process.
3. Complete the Chapter 688 Referral Form. Seek student or guardian assistance in answering pertinent questions on the form. (See Referral Form Instructions).
4. Whenever possible, have both the student and the parent or guardian sign the referral form on page 2 to consent to referral and release of information. When it is not possible to obtain both signatures, the following guidelines should be observed:
 - a. When the student is under 18 years old, the signature of a parent or guardian will be sufficient;
 - b. When the student is 18 years old or older, the signature of the student will be sufficient, unless the student has been declared legally incompetent. In that case, the student's guardian should sign;
 - c. In cases where no parent is available, there is no guardian, and there is a question about the student's ability to consent, contact the BTP at EOHS.

5. Attach the student's most recent assessments and Individualized Education Plan to the referral form. (See "Referral Form Instructions"). This completes the referral package.
6. Send the completed referral package to the local area office of only one human service agency, c/o the Chapter 688 liaison. In determining which agency area office to send it to, consider these factors:
 - a. The Executive Office of Human Services recognizes that most school districts have selected the appropriate human service agency to refer students to in the past. (See accompanying "Guidelines for Chapter 688 referrals"). Those successful referral patterns should be continued. There are a few modifications in agency responsibility that are highlighted below. Briefly, the changes indicated in the Guidelines reflect additional case management responsibility for:
 - ° Massachusetts Rehabilitation Commission - all head injured students;
 - ° Department of Public Health - all students residing in Pediatric Nursing Homes or Public Health Hospitals;
 - ° Department of Social Services - all students in their custody;
 - ° Massachusetts Office of Deafness - all students whose primary disability, is deafness or hearing impairment who are in need of independent living skills training.

Consult the accompanying Guidelines for Chapter 688 Referral on pages 27 & 28 for clarification and assistance in making your determination. It should be noted that a referral is officially made once a school district sends the referral package to any agency. Should the determination made by a school district be "incorrect", the human service system is responsible for re-directing the referral.

- b. In the event it cannot be clearly determined which agency is appropriate, (usually because of multihandicap or extraordinary/unusual cases) the school district should send the complete referral package to:

BUREAU OF TRANSITIONAL PLANNING
EXECUTIVE OFFICE OF HUMAN SERVICES
ONE ASHBURTON PLACE
ROOM 1109
BOSTON, MA 02108

7. When the referral package has been sent to a human service agency area office, as in 6a above, send a copy of the referral form only, to:

BUREAU OF TRANSITIONAL PLANNING
EXECUTIVE OFFICE OF HUMAN SERVICES
ONE ASHBURTON PLACE
ROOM 1109
BOSTON, MA 02108

This will assure that the case is tracked through the Chapter 688 system. The administrator should indicate on the referral form to which agency and area office the referral has been made and on what date.

8. Periodically, over the next 1½ years, the school district will be notified by the Bureau of Transitional Planning or the specific human service agency about the progress that is being made in the transitional planning process. These notices should address:

- Chapter 688 eligibility determination
- Transitional agency assignment and case manager
- Invitation to the Individual Transitional Plan meeting.
- Final copy of the ITP

If you do not receive these communications, notify the Bureau of Transitional Planning and the appropriate human service agency area office.

9. At the time of the last Chapter 766 Team meeting to develop the student's last Individualized Educational Plan, the Administrator of Special Education must invite the human service case manager to the meeting in accordance with Chapter 766 Regulations (Sec. 338). This will facilitate communication and cooperative planning for the student's last year in special education. If scheduling permits, this meeting should be coordinated with the ITP meeting called by the transitional agency.

BTP STUDENT REFERRAL FORM

The enclosed referral form is the official BTP transmittal document with which a Chapter 688 referral should be made. This will insure standardization of case files and an expeditious processing by agency area offices. The form may be duplicated; please duplex (double sided copying) if at all possible to reduce the chance of detached pages getting misplaced.

The form should be completed by the person or persons who know the student and his/her habilitative needs best. Ideally this should be the special education staff with whom the student has been working as well as the client or his/her guardian. It must always be signed and submitted by the school district's Administrator of Special Education.

PART I

ADMINISTRATIVE

A. Name of Student

Include first and last name

B. Social Security number

Specify, if known. If not, leave blank.

C. Telephone number.

Student's residence.

D. Date of Special Education Termination.

The expected date the student will leave special education programming. This may be the student's twenty-second birthday or a graduation date agreed upon by all members of the evaluation team.

E. Address of Student.

Student's residence.

F. Date of Birth

G. SSI/SSDI Benefits

If you know a client is receiving Supplemental Security Income from the federal government, please indicate. If the student/guardian has a copy of the award letter or a copy of a monthly check, please attach it to the referral form to validate this information. If not available, provide any identification possible. Do the same for a client receiving SSDI on the basis of his own disability.

H. Administrator of Special Education

Specify the name of the school district's administrator, not the private school or collaborative.

I. Town/City

Local Education Authority responsible for special education programming.

J. Telephone number.

Specify for Special Education Administrator.

K. Signature

The referral form must be signed by the School District's Special Education Administrator to be considered for Chapter 688.

L. Current Educational Placement

Specify the name of the special education program in which the student is currently enrolled (i.e. which private school, collaborative or public school program, not the prototype).

M. Student Records

All pertinent records should be included from the last three year evaluation or later. The IEP should be within twelve months. Any non-required assessments such as vocational, speech and language, physical therapy, etc. should be included, if available. Specify dates assessments were completed.

N. Agencies which have served student.

Specify all state agencies which are currently or within the last 3 years have been involved in serving the student.

Also include any private agencies, (i.e. United Cerebral Palsy, Easter Seals) who may have served the student or his/her family.

PART II

HABILITATIVE SERVICES

For each of the four service categories, specify the student's pro-

jected need upon termination of special education programming. To the extent possible, specify the necessary student to staff ratio, and descriptive information, not just a service prototype. It is important to note that adult services frequently differ from Chapter 766 children's services. Specify, if possible, adult service needs. Also note whether the service is needed immediately or several years in the future.

PART III

ADDITIONAL REMARKS

Use this space, or attach additional sheets, to provide any information or comments not already listed on the referral form.

PART IV

MEDICAL INFORMATION

Additional medical records that are available may be required to determine Chapter 688 eligibility by the Chapter 688 Eligibility Unit. If a student already has been determined to be eligible for SSI, and is therefore automatically Chapter 688 eligible, it is not necessary to include his/her medical records.

PART V

GENERAL AUTHORIZATION

Whenever possible, have both the student and the parent or guardian sign the referral form on page 2 to consent to referral and release of information. When it is not possible to obtain both signatures, the following guidelines should be observed:

- A. When the student is under 18 years old, the signature of parent or guardian will be sufficient;
- B. When the student is 18 years old or older, the signature of the student will be sufficient, unless the student has been declared legally incompetent. In that case, the student's guardian should sign;
- C. In cases where no parent is available, there is no guardian, and there is a question about the student's ability to consent, contact the B.T.P. at EOHS.

Following the signature, specify the parent, guardian, or other person who is to be contacted on the student's behalf during the transitional planning process.

HUMAN SERVICE TRANSITIONAL AGENCY ROLE

The role of the transitional agency is to assist and facilitate the two year transitional process for Chapter 688 clients from the initial referral until termination of special education services and the development of adult service plans. There will be a designated Chapter 688 liasion in each human service agency area office. (Depending upon agency structure, it may be the regional office) This liasion will be the local BTP contact for the agency and will either be the case manager for Chapter 688 clients or will be responsible for designating a case manager.

The following is a list of the responsibilities of the transitional agency area office:

- receive referrals from school districts
- screen case file for transitional agency status
- review case file for Supplemental Security Income (SSI) status
- direct families to the Social Security Administration (SSA) district office to apply for SSI if the student has not yet applied.
- check with Mass. Commission for the Blind regarding their Registry
- refer students ineligible for SSI and not on the Blind Registry to the Chapter 688 eligibility unit for state eligibility determination.
- convene interagency team to develop the Individual Transitional Plan (ITP)
- send ITP to the Bureau of Transitional Planning and the Transitional Advisory Committee for approval.
- notify the BTP of the progress and status of the case.
- maintain contact with the student and his/her family during the transitional planning process
- coordinate with school districts
- participate in last Individualized Educational Plan development

THE INDIVIDUAL TRANSITIONAL PLAN

The Individual Transitional Plan (ITP) is a service planning document developed by the Transitional agency and team which describes the services an individual needs after the end of the special education

programming, the agencies' responsible for providing those services and the expected duration of those services.

This plan is developed at a meeting convened by the transitional agency, with representatives from other human service agencies, the client, his or her guardian, the school district and any other participants the client may wish to invite. If scheduling permits, the ITP meeting should be coordinated with the student's last Chapter 766 Individualized Educational Plan meeting to facilitate interagency coordination for planning the student's transition. The Executive Office of Human Services and the Department of Education will develop an interagency agreement that will encourage the coordination of the IEP meeting with the ITP meeting at least one year prior to the end of special education services.

The ITP must be submitted to the Transitional Advisory Committee as required by the statute for its approval no later than six months prior to the client's special education termination date.

THE BUREAU OF TRANSITIONAL PLANNING (BTP)

The Bureau of Transitional Planning (BTP) is the central coordinator of the Chapter 688 process. It has two primary functions: to monitor the Chapter 688 process for all cases and secondly to collect and analyze data on service needs. The BTP will oversee:

- that all Chapter 688 clients are assigned to the appropriate human service transitional agency;
- that the transitional agency performs its case management responsibilities;
- that all timelines stated in the law are met during the transitional planning process;
- that the Individual Transitional Plan (ITP) is developed by the transitional agency along with all members of the transitional planning team (other agencies, client, guardian, school system);
- that the ITP is approved by the Transitional Advisory Committee (TAC);
- that the human service agencies meet their service responsibilities as designated in the ITP, subject to appropriation of funding by the state legislature.

In addition to the system oversight functions described above, the BTP will play an important role in planning for services needed by the Chapter 688 population. Review and analysis of each Individual Transitional Plan will assist in identifying service gaps, describe the needs of underserved or inappropriately served clients and indicate potential changes needed to programming structures and/or service delivery.

THE TRANSITIONAL ADVISORY COMMITTEE (TAC)

The Transitional Advisory Committee (TAC) was created by Chapter 688, to review and approve Individual Transitional Plans. The committee is chaired by the Secretary of Human Services, or his or her designee, and includes representatives from each of the following agencies:

- Executive Office of Economic Affairs
- Department of Mental Health
- Department of Social Services
- Department of Public Welfare
- Department of Public Health
- Massachusetts Rehabilitation Commission
- Massachusetts Office for Deafness
- Massachusetts Commission for the Blind
- Department of Education

CHAPTER 688 APPEAL RIGHTS

The client has the right to appeal the determination of Chapter 688 eligibility by requesting review by the Secretary of Human Services within sixty days after the date of issuance of the determination. The Secretary will approve, disapprove, or remand to MRC for further consideration any request within ninety days of its receipt by the Secretary.

The client also has the right to appeal the transitional plan itself. Rules and regulations regarding this appeal process will be promulgated by the Secretary of Human Services.

CHAPTER 688 GLOSSARY

BTP	- Bureau of Transitional Planning
DOE	- Department of Education
DMH	- Department of Mental Health
DPH	- Department of Public Health
DPW	- Department of Public Welfare
DSS	- Department of Social Services
Entitlement	- Legal right to services provided by a law.
EOEA	- Executive Office of Economic Affairs
EOHS	- Executive Office of Human Services
ITP	- Individual Transitional Plan
LEA	- Local Education Authority; the school system that has been providing the individual's special education program.
MCB	- Massachusetts Commission for the Blind
MOD	- Massachusetts Office of Deafness
MRC	- Massachusetts Rehabilitation Commission
SSA	- Social Security Administration
SSDI	- Social Security Disability Insurance; federal insurance payments to disabled workers or disabled children of disabled workers.
SPED Director	- Administrator of Special Education for the school system that has been providing the individual's special education program.

Subject to appropriation

- Dependent on the amount of funds made available to agencies by the state legislature.

SSI

- Supplemental Security Income; a federal program administered by the SSA providing monthly payments to severely disabled individuals who have little or no regular income or financial assets.

TAC

- Transitional Advisory Committee

Transitional Agency

- The human service agency designated with the responsibility for client case management for the two year transitional planning process.

BUREAU OF TRANSITIONAL PLANNING
STUDENT REFERRAL FORM
PART I ADMINISTRATIVE

A. Name of Student _____ B. Social Security # _____ C. Telephone # _____ D. Date of Sp. Ed. Termination _____
 / / () - / /

E. Address of Student (Street, City, Zip Code) _____ F. Date of Birth _____
 //

G. Is Student Receiving SSI or SS Disability Benefits?
 Yes No If yes, please attach copy of award letter. (if available)

H. Special Education Administrator _____ I. Town/City _____ J. Telephone # _____

K. Signature of Special Education Administrator _____

L. Current Educational Placement _____

M. Records Included with Referral (if available) (most recent) _____ N. Agencies which have in the past or presently serve this student. _____

<u>Type</u>	<u>Date Completed</u>	
_____ IEP	_____	_____ Department of Social Services (DSS)
_____ Medical Evaluations	_____	_____ Department of Mental Health (DMH)
_____ a. Comprehensive	_____	_____ Department of Public Health (DPH)
_____ b. Neurological	_____	_____ Mass. Rehabilitation Commission (MRC)
_____ c. Audiological	_____	_____ Office for Children (OFC)
_____ d. Psychiatric	_____	_____ Mass. Commission for the Blind (MCB)
_____ Psychological	_____	_____ Office of Deafness (MOD)
_____ Vocational	_____	_____ Exec. Office of Economic Affairs (EOEA)
		_____ Other (State or Private)
_____ Educational/Social		_____ (specify) _____
_____ History	_____	
_____ Speech/Language	_____	
_____ Other	_____	
_____ (specify) _____		

Part II: HABILITATIVE SERVICES

Chapter 688 provides for varied habilitative services. In order to begin effective transitional planning, list or describe all services this student requires upon completion of his/her special education program. Specify approximate dates of need or time reference for each service listed, both short range and long range.

O. Residential Services

Can include but is not limited to: community residence, specialized foster care, hospital type setting due to physical or medical needs.

P. Day Program Services

Can include but is not limited to: sheltered workshop, day habilitation program, vocational rehabilitation, day activities program.

Q. Assessment Services

Can include but is not limited to vocational evaluation, independent living skills assessment.

R. Ancillary Services

Should include services needed to augment day and/or residential program. Can include but is not limited to: therapies, respite care, transportation, counseling, environmental adaptations.

PART III: ADDITIONAL REMARKS

PART IV. MEDICAL INFORMATION (if available)
(not needed if student is receiving SSI or SSDI)

List physicians and/or hospitals who have most recent medical records.

Name: _____ Name: _____

Address: _____ Address: _____

Telephone: _____ Telephone: _____

Date Last Seen: _____ Date Last Seen: _____

PART IV: GENERAL AUTHORIZATION FOR RELEASE OF PERSONAL INFORMATION

I hereby authorize the release of all personal information contained in student records, from either the school system or physicians listed above, including medical and educational evaluations, for the purposes of determining eligibility for habilitative services under Chapter 688 and for transitional planning by the Executive Office of Human Services or its agencies. I understand that the information may be released to all necessary state agencies, including ECHS, MRC, DMH, DSS, MCB, DPW, DPH, MOD, and agencies within EOEA.

Signature of Student or Legal Guardian
(if applicable)

Date

Print Name and Address of Parent/Guardian Relationship to Student Telephone #

GUIDELINES FOR CHAPTER 688 REFERRALS

PRIMARY DISABILITY	ADULT SERVICE NEEDS	AGENCY
Legal Blindness	Regardless of adult service needs.	Massachusetts Commission for the Blind (Regional Office)
Is currently in the custody of Department of Social Services	Regardless of adult service needs	Department of Social Service (Area Office)
Is currently residing in a Pediatric Nursing Home: Mayflower Nursing Home, Plymouth Baystate Rehabilitation and Nursing Care Facility, North Billerica Northampton Nursing Home, Inc., Northampton Montrath Pediatric Nursing Center, Inc. Groton	Regardless of adult service needs	Department of Public Health (Regional Office)
Is currently residing in a Public Health Hospital: Lakeville Hospital, Lakeville Massachusetts Hospital School, Canton Western Massachusetts Hospital, Westfield	Regardless of adult service needs	Department of Public Health (Regional Office)

GUIDELINES FOR CHAPTER 688 REFERRALS

PRIMARY DISABILITY	ADULT SERVICE NEEDS	AGENCY
Mental or physical disability which constitutes a substantial handicap to employment Head injury	Can reasonably be expected to benefit in terms of employability from the provision of vocational rehabilitation services. Regardless of adult service needs.	Massachusetts Rehabilitation Commission (Area Office) Massachusetts Rehabilitation Commission (Area Office)
Mental Retardation:	Residential service, training and habilitation services including social, domestic, self care and vocational skills and sheltered work.	Department of Mental Health (Area Office)
Mental Illness	Residential services, day program, emergency, outpatient, inpatient after care/support services	Department of Mental Health (Area Office)
Deafness or Severe Hearing Impairment	Can reasonably to expected to benefit in terms of employability from the provision of vocational rehabilitation services, including sheltered employment, supported work, and employment related independent living services	Massachusetts Rehabilitation Commission (Area Office) (Attention of Rehabilitation Counselors for the Deaf)
Deafness or Severe Hearing Impairment	Independent living evaluation, skill training and/or other independent living assistance prior to MRC vocational referrals.	Massachusetts Office of Deafness (Boston Office)

Final ITP Meeting Date: _____
 Date of Expected Special Education Termination: _____
 Client's Birthdate: _____

Transitional Agency: _____
 Area Office: _____
 ITP Coordinator: _____
 Position: _____
 Telephone No.: _____

Client's Name: _____
 Address: _____

Telephone No.: _____

Contact Person (if different from client): _____

 Address: _____

Telephone No.: _____

Relationship: _____

TEAM PARTICIPANTS

Participants in Attendance

Title

Agency or Affiliation

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

PLAN APPROVAL

Transitional Advisory Committee Chairperson Approval:

 (Signature and Date)

Secretary of Human Services Approval (if modified):

 (Signature and Date)

Secretary of Economic Affairs (if modified):

 (Signature and Date)

I accept the ITP:

 (Signature of client and parent and Date)

I reject the ITP:

 (Signature of client and parent and Date)

I reject the ITP and wish to appeal:

 (Signature of client and parent and Date)

Client's Name: _____

Habilitative Service Category	Description of Service Need	Description of Services to be Provided	Responsible State Agency	Projected Start Date for Services to be pro- vided	Duration of Services to be Provided
30 35					36

Client's Name: _____

If services to be provided differ from the described need, justify the service delivery plan and indicate the reasons that the needed services cannot be delivered:

31

Comments:

37

38

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-three

AN ACT PROVIDING FOR CONTINUITY OF SERVICES TO DEVELOPMENTALLY
DISABLED PERSONS WHOSE AGE NO LONGER ENTITLES THEM TO SERVICES UNDER SPECIAL
EDUCATION PROGRAMS.

Be it enacted by the Senate and House of Representatives in General Court
assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 71B of the General Laws is hereby amended by inserting
after section 12 the following three sections:-

Section 12A. For the purposes of sections twelve A to twelve C,
inclusive, the following words shall have the following meanings:

"Disabled person", a person who is unable to engage in substantial gainful
activity by reason of medically determinable physical or mental impairment
which can be expected to result in death or be of at least twelve months'
duration; provided, however, that such impairment is of such severity that such
individual is unable to do his previous work, if any, and, considering his age,
education, and work experience, cannot engage in substantial gainful activity.

"Education authority", the school committee or other education provider
responsible for the provision of special education pursuant to the provisions
of this chapter.

"Rehabilitative services", services directed toward the alleviation of
limitations on major life activities of a disabled person, including diagnosis,
evaluation, treatment, personal care, daycare, respite care, home care,
residential care, group care in a community residence, special living
arrangements, training, education, sheltered employment, supported work,
recreation, counseling, protective and social services, legal services,
information and referral services, and transportation services.

"Major life activity", self-care, including personal hygiene, dressing and
eating; communication and language skills, including reception and expression;
learning; mobility; capacity for independent living; and economic
self-sufficiency.

"Substantial gainful activity", the performance of a task for at least

twenty hours per week for which a disabled person receives compensation either in currency or in-kind; provided, however, that such activity shall not include sheltered workshops, supported work, occupational therapy or any other work activity supported by the federal, state, or local governments for the purpose of assisting such disabled person to participate in such activity.

"Transitional plan", a plan for a program of habilitative services for disabled person whose entitlement to services under special education programs has terminated or will terminate as a result of such person's graduation from high school or attainment of age twenty-two.

Section 12B. There shall be within the executive office of human services a bureau of transitional planning. There is also hereby established within the executive office of human services a committee, to be known as the transitional advisory committee, which shall meet on a regular and periodic basis for the purpose of reviewing and approving transitional plans for disabled persons whose entitlement to services under special education programs has terminated or will terminate within two years. The committee shall consist of by the secretary of the executive office of human services who shall be chairman, or his designee, and one representative from each of the following agencies: the executive office of manpower affairs, the department of mental health, the department of social services, the department of public welfare, the department of public health, the Massachusetts rehabilitation commission, the Massachusetts office of deafness, the Massachusetts commission for the blind and the department of education. Said representatives shall be designated by the executive secretary, commissioner or department head whose agency they shall represent. The committee shall adopt rules and procedures governing its proceedings. Members of the committee shall not be compensated for service on said committee.

Section 12C. A disabled person who has been receiving special education under the provisions of this chapter shall be eligible, subject to appropriation, upon graduation from high school or upon attaining the age of twenty-two, whichever occurs first, to receive habilitative services in the manner hereinafter provided. The education authority which is responsible for the education of a person with special needs shall, with the consent of such person or his parent or guardian, at least two years before such person attains the age of twenty-two or at least two years before such person's graduation, whichever first occurs, determine whether such person may need continuing

habilitative services and notify the bureau of transitional planning of the name and address of such person, the record of the special education services being provided to such person, and the expected date of termination of such services. Within thirty days of such notification, said bureau will begin to prepare a case file on such person consisting of all available information relevant to the questions of whether such person is a disabled person within the meaning of section twelve A and which habilitative services may be necessary or appropriate to assist such person in realizing his potential for self-sufficiency in major life activities. The education authority shall, with the consent of such person or his parent or guardian, provide said bureau with copies of relevant portions of record of such person, which shall be included in such person's case file. Said bureau shall also provide an opportunity for the submission by or on behalf of such person, of information relative to such person's special needs, and all information so provided shall be included in such person's case file.

If at the time of said notification to said bureau, such person has been determined to be eligible for disability benefits under Title II or Title XVI of the United States Social Security Act, such person shall be deemed to be a disabled person within the meaning of section twelve A, and said bureau shall make a preliminary determination of the agency or agencies which shall develop a transitional plan for such person. If at such time such person has not been determined to be eligible for such benefits, said bureau shall refer such person to the Massachusetts rehabilitation commission for a determination whether he is a disabled person within the meaning of section twelve A. As a condition of such referral, said bureau may require that an application be submitted forthwith on behalf of such person for such benefits.

With respect to each such person referred to it under the preceding paragraph, the Massachusetts rehabilitation commission shall provide written notice to said bureau and to such person or his parent or guardian of its determination whether such person is a disabled person. If such person is determined by the commission to be disabled, then his case file shall be referred to said bureau for the preliminary determination of the agency or agencies which shall develop a transitional plan. In addition to any appeal rights under Titles II and XVI of the Social Security Act, a finding by the commission that such person is not disabled may be appealed by requesting review by the secretary of human services within sixty days after the date of issuance of the commission's determination. The secretary shall approve,

disapprove, or remand to said commission for further consideration any such request within ninety days of its receipt by said secretary.

Upon receipt of a case file of a disabled person said bureau shall make a preliminary determination of the agency which shall develop a transitional plan for such individual.

If such preliminary determination is approved by the transitional advisory committee, such agency shall, in accordance with its usual planning procedures, except as modified by the provisions of this section, in cooperation with said bureau, and such person, develop a transitional plan for such person. The parent or guardian may participate in the development of the transitional plan unless such participation is objected to by the disabled person. Said transitional plan shall include, but not be limited to, the following information: the habilitative services found by the committee to be necessary or appropriate to assist such person in realizing his potential for self-sufficiency in major life activities; the agencies responsible for the provision of such services; the location in the least restrictive environment at which such services will be provided; and the expected duration for the provision of such services. Each transitional plan shall be submitted to the transitional advisory committee for its approval no later than six months prior to the date each disabled person attains age twenty-two or graduates, whichever occurs first. The committee shall meet at least once a month for the purpose of considering the approval of such transitional plans.

Said committee shall provide the person and his parent or guardian with a written copy of an approved transitional plan developed for such person. If the plan calls for the provision of services by an agency in the executive office of human services or in the executive office of manpower affairs, the secretaries of such executive offices shall also be provided with a written copy of the plan. Each respective secretary shall review the portion of such plan which calls for the provision of services by an agency within his executive office and may, after consultation with such agency and written notification to such person or his parent or guardian, make such modifications to such portion of said plan as are necessary or appropriate. Any plan which has not been so modified by the executive secretary within sixty days of its submission to the secretary shall be deemed to be approved in the form submitted.

After a transitional plan for a disabled person has been approved and

after said individual attains the age of twenty-two or graduates, whichever first occurs, habilitative services shall be provided to such person in accordance with the transitional plan. The secretary of human services shall promulgate rules and regulations for the modification, extension, termination, or appeal of the transitional plan by such person, his parent or guardian, or any agency responsible for the provision of services pursuant to such plan.

SECTION 2. Section fifteen of chapter seventy-one B of the General Laws is hereby repealed.

House of Representatives, December 9, 1983.

Passed to be enacted, *Thomas W. McKee*, Speaker.

In Senate, December 9, 1983.

Passed to be enacted, *William M. Bulger*, President.

December 21, 1983.

Approved,

Richard D. Hughes, Governor.